

MELINDA HAAG (CABN 132612)
United States Attorney

J. DOUGLAS WILSON (DCBN 41241)
Chief, Criminal Division

MATTHEW A. PARRELLA (NYBN 2040855)
HANLEY CHEW (CABN 189985)
Assistant United States Attorneys

E-FILED - 7/10/13

150 Almaden Blvd., 9th Floor
San Jose, California 95113
Telephone: (408) 535-5042
FAX: (408) 535-5066
matthew.parrella@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
DENNIS COLLINS, CHRISTOPHER)
WAYNE COOPER, JOSHUA JOHN)
COVELLI, KEITH WILSON DOWNEY,)
MERCEDES RENEE HAEFER,)
DONALD HUSBAND, VINCENT)
CHARLES KERSHAW, ETHAN MILES,)
JAMES C. MURPHY, DREW ALAN)
PHILLIPS, JEFFREY PUGLISI,)
DANIEL SULLIVAN, TRACY ANN)
VALENZUELA, AND CHRISTOPHER)
QUANG VO,)
)
Defendants.)

No. CR 11-00471-DLJ

**STIPULATION AND []
ORDER CONTINUING STATUS
CONFERENCE FROM JULY 25, 2013
TO AUGUST 4, 2013 AND
EXCLUDING TIME FROM JULY 25,
2013 TO AUGUST 4, 2013, FROM
CALCULATIONS UNDER THE
SPEEDY TRIAL ACT (18 U.S.C. § 3161)**

No. CR-11-00683-DLJ

The parties hereby request that the Court enter this order vacating the status conference in this matter scheduled for July 25, 2013, setting a further status conference/potential change of

1 plea hearing for August 4; , 2013, and excluding time from July 25, 2013 through August 4; ,
2 2013. The parties, including the defendants, stipulate as follows:

3 1. Defendants understand and agree to the exclusion of time from calculations under
4 the Speedy Trial Act, 18 U.S.C. § 3161, from July 25, 2013 through August 4; , 2013, based
5 upon the need for the defense counsel to investigate further the facts of the present case. The
6 government has provided considerable discovery in the present case, and defense counsel need
7 time to review the discovery, evaluate further possible defenses and motions available to the
8 defendant. Moreover, the parties are continuing to discuss a potential global disposition and
9 need additional time to complete those discussions. A Further Settlement Conference is
10 scheduled for July 10, 2013. The parties anticipate that additional settlement discussions may be
11 necessary after the July 10, 2013 Conference.

12 2. The attorney for defendants join in the request to exclude time under the Speedy Trial
13 Act, 18 U.S.C. § 3161, for the above reasons, and believe the exclusion of time is necessary for
14 effective preparation of the defense; believe the exclusion is in the defendant's best interests; and
15 further agree that the exclusion under the Speedy Trial Act, 18 U.S.C. § 3161, should be from
16 July 25, 2013 through August 4; , 2013.

17 Given these circumstances, the parties believe, and request that the Court vacate the July
18 25, 2013 status conference, set August 4; , 2013 as a further status/potential change in plea
19 hearing and find, that the ends of justice are served by excluding from calculations the period
20 from July 25, 2013 through August 4; , 2013, outweigh the best interests of the public and the
21 defendant in a speedy trial under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

22 IT IS SO STIPULATED.

23
24 DATED: 7/3/13

/s/

PETER LEEMING

25 DATED: 7/3/13

/s/

W. MICHAEL WHELAN

26
27 DATED: 7/3/13

/s/

THOMAS NOLAN

1 DATED: 7/3/13

/s/
JOHN M. HAMASAKI

2 DATED: 7/3/13

/s/
STANLEY L. COHEN

4 DATED: 7/3/13

/s/
EAN VIZZI

5 DATED: 7/3/13

/s/
OMAR FIGUEROA

7 DATED: 7/3/13

/s/
GRAHAM ARCHER

8 DATED: 7/3/13

/s/
ROBERT CAREY

10 DATED:7/3/13

/s/
GEORGE BOISSEAU

11 DATED:7/3/13

/s/
JOHN D. LUECK

13 DATED:7/3/13

/s/
MICHELLE SPENCE

14 DATED:7/3/13

/s/
JAMES McNAIR THOMPSON

16 DATED: 7/3/13

/s/
ALEXIS BRIGGS

17 DATED:7/3/13

/s/
MATTHEW A. PARRELLA
HANLEY CHEW
Assistant United States Attorneys

21 **[] ORDER**

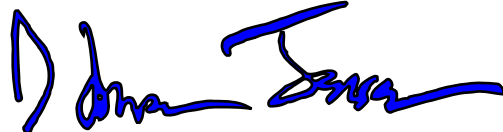
22 Having considered the stipulation of the parties, the Court finds that: (1) the defendant
23 understands and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18
24 U.S.C. § 3161, from July 25, 2013 through August 4, 2013 based upon the need for the defense
25 counsel to investigate further the facts of the present case, review the discovery that the
26 government has already provided and evaluate further possible defenses and motions available to
27 the defendant; (2) the exclusion of time is necessary for effective preparation of the defense and
28

1 is in the defendant's best interests; and (3) the ends of justice are served by excluding from
2 calculations the period from July 25, 2013 through August 4; , 2013.

3 Accordingly, the Court further orders that (1) the status conference in this matter
4 scheduled for July 25, 2013 is vacated; (2) a further status conference/potential change of plea
5 hearing is scheduled for August 4; , 2013; and (3) the time from July 25, 2013 through August'4; ,
6 2013 is excluded from time calculations under the Speedy Trial Act, 18 U.S.C. § 3161.

7 IT IS SO ORDERED.

8 DATED: 7/10/13
9 _____



10 THE HONORABLE D. LOWELL JENSEN
11 United States District Court Judge
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